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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/054,986	04/03/98	STAVNES	SC-5285

IM62/0502

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EXAMINER

NOLAN, S

ART UNIT	PAPER NUMBER
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1772

DATE MAILED: 05/02/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/054,986

Applicant(s)
STAVNES et al

Examiner
Sandra Nolan

Group Art Unit
1772



☒ Responsive to communication(s) filed on Feb. 15, 2000

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 1, 5, 8, 13, 15, 17-20, 24-26, 28, 33, 36, and 39 is/are pending in the application

Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1, 5, 8, 13, 15, 17-20, 24-26, 28, 33, 36, and 39 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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DETAILED ACTION

OBJECTION WITHDRAWN

1. The objection to claim 9 for a misspelled word, as stated in paragraph 2 of the September 14, 1999 office Action (Paper No. 2), is withdrawn in view of the amendment to the claim set out in the response dated February 15, 2000 (Paper No. 4).

REJECTIONS MAINTAINED

2. The 35 USC 103(a) rejection of claims 1-27 and 36-39 (now claims 1, 5, 8, 13, 15, 17-20, 24-26, 36, and 39) as unpatentable over Rinehart (US 5,015,514) and Tobin (US 4,349,803), recited in paragraph 3 of Paper No. 2, is maintained for the reasons made of record therein.

3. The 35 USC 103(a) rejection of claims 28-35 (now claims 28 and 33) as unpatentable over Rinehart and Tobin in view of Schmunk (US 4,313,100), as set out in paragraph 4 of Paper No. 2, is maintained for the reasons made of record therein.

RESPONSE TO ARGUMENTS

4. Applicant's arguments filed in Paper No. 4 have been fully considered, but they are not persuasive.

Applicants have not argued the references as combined, but, instead, have argued each separately. This is improper. See MPEP 2145 (IV).

Also, the key features of the claimed fuse tubes, i.e., filament winding and a tapered bore, are disclosed in Rinehart (see col. 8, lines 16+) and Schmunk (see Figure 5). Applicants have not demonstrated that their fuse tubes produce unexpected results over these patents' teachings.

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Lastly, the feature of “uniform winding such that the minimum wall thickness. . . is unaffected by the winding variations” [argued at page 5, lines 26-27 of Paper No. 4] is neither claimed nor shown to be critical.

FINAL REJECTION

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

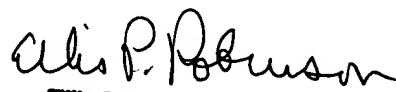
CONCLUSION

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sandra M. Nolan, whose telephone number is (703) 308-9545. The examiner can normally be reached on Monday through Thursday from 7:00 am to 4:00 pm. The examiner can also be reached on alternate Fridays.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ellis P. Robinson, can be reached on (703) 308-2364. The fax phone number for the organization where this application is assigned is (703) 305-5408.

The telephone number for the receptionist is (703) 308-0661.


Ellis Robinson
Supervisory Patent Examiner
Technology Center 1700

SMN/smn
April 28, 2000
09054986.2